



TOWN OF FAIRHAVEN, MASSACHUSETTS

CONSERVATION COMMISSION

Town Hall · 40 Center Street · Fairhaven, MA 02719

Memorandum

Date: April 8, 2019

To: Conservation Commission

From: Whitney McClees, Agent

RE: Recommendations for April 8, 2019 Meeting

CON-19-027 **46 Sconticut Neck Road**

Abbreviated Notice of Resource Area Delineation filed by Joshua Alves, Alexander Grey Development LLC, requesting confirmation of a boundary delineation of a Bordering Vegetated Wetland and Bordering Land Subject to Flooding, at the property located at 46 Sconticut Neck Road, Assessors Map 28, Parcel 24.

Recommendation: Approve ORAD with adjustments to line as noted by peer reviewer

CON-19-013 **30 Alder Street**

Notice of Intent filed by April and Joel Briner for the construction of a new one-bay garage, and two additions and a new deck on the existing house at the property located at 30 Alder Street, Assessors Map 43A, Lot 15. Work to take place within Land Subject to Coastal Storm Flowage/Flood Zone V and Buffer Zone to Beach and Bank resource areas.

Recommendation: Accept withdrawal without prejudice request

CON-19-043 **4 Balsam Street**

Request for Determination of Applicability filed by Sylvester J. Vercellone for the determination of whether the proposed construction of a shed is subject to the jurisdiction of the Wetlands Protection Act and the Fairhaven Wetlands Bylaw at the property located at 4 Balsam Street, Assessors Map 43C, Lot 38. Work to take place within the Buffer Zone to Coastal Bank and Land Subject to Coastal Storm Flowage/Zone VE.

Recommendation: Negative 3 Determination, no cutting or removal of existing vegetation, any soil/debris removed needs to be stored in the front of the house or taken offsite and disposed of appropriately.

CON-19-045 8 Chambers Street

Request for Determination of Applicability filed by Christopher and Teresa Augenti for the construction of a 16' x 28' accessory building at the property located at 8 Chambers Street, Assessors Map 41, Lot 58. Work to take place in Land Subject to Coastal Storm Flowage/Zone VE.

Recommendation: Negative 3 Determination, WAS-1, SIL-2, CAP-1, REV-3

CON-19-044 35 Alder Street

Notice of Intent filed by Lee and Elizabeth Stewart to demolish the existing cottage and construct a 2-story single-family dwelling in compliance with FEMA and Mass Building Code for construction within a Velocity Zone at the property located at 35 Alder Street, Assessors Map 43A, Lots 65 and 66. Work to take place in Land Subject to Coastal Storm Flowage/Zone VE.

Recommended Conditions: Notify the Agent 72 hours prior to the start of work, ADD-1, ADD-4b, CAP-1, BLD-1, BLD-3, COC-2, MAC-3, DEB-3, DER-1, EMC-1, REC-1, REC-3, REV-1, REV-2, REV-3, SIL-2, WAS-1

10 Roseanne Drive (Assessors Map 36, Parcel 1B)

- Remove woodchip pile from the bordering vegetated wetland and place within existing garden beds and/or off-site completely (not in another resource area)
- Remove fill in wetland and regrade with clean, organic soil as needed to match existing wetland
- Any plantings that are currently healthy need not be removed
- Revegetate restored area
 - Wetland plantings should include native plantings (e.g. highbush blueberry, red maple, tupelo, sweet pepperbush, etc.) in addition to wetland seed mix to avoid the restoration area being taken over by *Phragmites*
- Install plantings or markers to indicate edge of wetland to prevent future disturbance
- Restoring, regrading, and revegetating the disturbed area to the original extent of the resource area by **May 31, 2019** as laid out by the Commission in response to the submitted restoration plan by LEC Environmental Consultants, Inc.
- Assessments of vegetation, soils, and hydrology for three growing seasons following the completion of the work to determine re-establishment of wetland conditions
 - US Army Corps of Engineers Wetland Determination Data Forms – Northcentral and Northeast Region or MassDEP Field Data Forms shall be used to assess vegetation, soils, and hydrology and copies will be submitted to the Commission upon completion of each assessment
- The restoration plan should be in compliance with the Performance Standards for Bordering Vegetated Wetland (310 CMR 10.55(4)). Specifically, 310 CMR 10.55(4)(b)1, 2, and 6 require the area restored to be equal to that of the area disturbed, the groundwater and surface elevation of the restoration area shall be approximately equal to that of the pre-disturbed Bordering Vegetated Wetland, and at least 75% of the

surface of the replacement area shall be reestablished with indigenous wetland plant species within two growing seasons, and prior to said vegetative reestablishment any exposed soil in the restoration area shall be temporarily stabilized to prevent erosion.

Assessors Map 41, Lots 60-67 and 74-81 (owner resides at 1 Pavillion Way) – clearing of vegetation, filling, and grading in a wetland

Prime Engineering has submitted a preliminary restoration plan. They noted some additional areas that need to be surveyed and included in a final restoration plan, which will be forthcoming.

Tootle Lane (Assessors Map 37, Parcels 1C, 2, 3, 15) – potential draining of wetlands and pumping of water into a wetland

Remove Cease and Desist, no wetland at beginning of cart paths, be very cognizant of where wetlands are. Do not remove trees within buffer zone without coming back to Commission.

55 Bayview Drive – follow up

Issue Amended Enforcement Order to include timeline for work to be completed.